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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OFFICIAL

Docket Number: DN 99-100

Application of: Michael B. Freeman et al.

Serial No: 09/727,324 : Group Art Unit: 1714

Filed: November 30, 2000 : Examiner: C. Shosho
(Priority to 14-Dec-99)

Title: POLYMERIC BINDER FOR WATER-RESISTANT INKJET INKS

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO SEPTEMBER 24, 2003 FINAL OFFICE ACTION

This is a reply to the September 24, 2003 final office action in which the Examiner rejected Claims 1 and 3-9 under 35 U.S.C. § 102(b) for anticipation in view of EP 590604 (Hatfield et al.). No fees are believed due, but if this is in error, please charge Deposit Account No. 18-1850 accordingly.

REMARKS

Claim Rejections – 35 U.S.C. § 102

The Examiner rejected Claims 1 and 3-9 under 35 U.S.C. § 102(b) for anticipation by EP 590604. The Examiner stated that the § 132 declaration submitted on July 2, 2003 was not persuasive. Specifically, the Examiner stated that the particle size variations data were evaluated in a Tg range outside of the range overlapping with the cited reference. The Examiner also stated that the Tg variations were all tested with different particle size ranges.

Applicant thanks the Examiner for discussing the matter in a telephone call. Applicant has prepared new samples for a Tg range within the range overlapping with the cited reference

CERTIFICATE OF TRANSMISSION

I certify that this paper, along with any referred to as being attached or enclosed, is being facsimile transmitted to (703) 872-9311 under 37 CFR § 1.8 on the date indicated below and is addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Nov. 14, 2003

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